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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|-------------------------|------------------|
| 09/847,442 | 05/03/2001 | Shigeki Kawakami | Q64139 | 5719 |
| 7590 03/25/2004 SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC 2100 Pennsylvania Avenue, N.W. Washington, DC 20037-3202 | | | EXAMINER BAYAT, ALI | |
| | | | ART UNIT 2625 | PAPER NUMBER |
| | | | DATE MAILED: 03/25/2004 | |

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/847,442

Applicant(s)

KAWAKAMI ET AL.

Examiner

Ali Bayat

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3,5 and 9-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Kohchi (U.S. Pub.No. 2002/0006220 A1).

In regard to claim 1 Kohchi provides for an input section for inputting page information (Fig.2 step 101, page 3 left col. Lines 45-46) having both image information including color data (Fig.2 step 102, page 3 right col. Lines 4-6) and character information including color data (Fig.2 step 106, page 3 right col. Lines 17-20); a color conversion section for practicing mutually different color conversions for both the image information (Fig.2 step 102, page 3 right col. Lines 4-6) and the character information (Fig.2 step 106, page 3 right col. Lines 17-20) of the entered page information ; and an output section for outputting page information which has both image information after the color conversion and character information after the color conversion (Fig.2 step 112, page 3 right col. Lines 51-62).

With regard to claim 2. See claim 1 above. It recites similar limitations as claim 1. Except for character information and image information to be stored in mutually different

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files (Fig.3 step 206 page 8, right col. Lines 9-11), so that the image information and the character information, which are stored in mutually different files, are separately subjected to the color conversion (Fig.2 step112 page 3 right col. Lines 51-62). Hence it is similarly analyzed and rejected.

With regard to claim 3. See claim 1 above. It recites similar limitations as claim 1. Except for data determination means determines the entered page information (Fig.14 step 602, page 8 right col. Lines 16-28), so that the determined image information or character information are sequentially subjected to the color conversion (Fig.14 steps 603-604, page 8 right col. Lines 16-28). Hence it is similarly analyzed and rejected.

In regard to claim 5, Kohchi provides for color conversion section performs the color conversion for the gradation information in form of the character information (Fig.17 page 11 right col. Lines 8-19).

As to claim 9 Kohchi provides for the output section outputs page information in form of page information described in layout description information (Fig.2 step 112 page 3 right col. Lines 51-62) or in form of page information subjected to a raster development.

In regard to claim 10 see claim 1 above. It recites similar limitations as claim 1 above. Except for color conversion program and computer network (Fig.1 page 3 left col. Lines 1-7). Hence it is similarly analyzed and rejected.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kohchi (U.S. Pub.No. 2002/0006220 A1) in view of Taniuchi et al (U.S. 5,363,212).

In regard to claim 6, Kohchi provides for a color conversion (Fig.2 step 112 page 3 right col. Lines 51-62). But does not provide for selecting any one of a plurality of color conversion tables in accordance with an operation of a user. However in the same field of endeavor Taniuchi provides for selecting any one of a plurality of color conversion tables in accordance with an operation of a user (col.19 lines 44-52). It would have been obvious to a person of ordinary skill in the art at time the invention was made to incorporate the teaching of Taniuchi with the system and method of Kohchi. Because a color image recording apparatus having the function of being capable of specifying an editing area by drawing a marker dot at an arbitrarily selected position in a closed area within an image col.1 lines 7-11 of Taniuchi et al..

With regard to claims 7-8, Kohchi provides for a color conversion (Fig.2 step 112 page 3 right col. Lines 51-62). But does not expressly provide for three elements (RGB) color space data, and output section outputs page information including at least one color of an ink system of color data (CMYK). However in the same field of endeavor Taniuchi provides for three elements (RGB) color space data, and output section outputs page information including at least one color of an ink system of color data (CMYK), col.7 lines 45-53). It would have been obvious to a person of ordinary skill in the art at time the invention was made to incorporate the teaching of Taniuchi with the

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system and method of Kohchi. Because a color image recording apparatus having the function of being capable of specifying an editing area by drawing a marker dot at an arbitrarily selected position in a closed area within an image col.1 lines 7-11 of Taniuchi et al..

3. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kohchi (U.S. Pub.No. 2002/0006220 A1) in view of Yamada (U.S. 4,642,680).

With regard to claim 4, Kohchi provides for a color conversion (Fig.2 step 112 page 3 right col. Lines 51-62), but does not provide for the page information entered from said input section includes screen tint information, said color conversion section performs the color conversion for the screen tint information in form of the character information.). However in the same field of endeavor Yamada provided for a screen tint col.2 lines 38-45).). It would have been obvious to a person of ordinary skill in the art at time the invention was made to incorporate the teaching of Yamda with the system and method of Kohchi. Because one of the objects of this invention is to reduce data volume in order to permit a reduced memory capacity requirement, which leads to lower system cost col.2 lines 39-40 of Yamda.

Other Cited References

4. U.S. patent Pub.No. (US 2002/0012453 A1) to Hashimoto et al. is cited for control apparatus for a scanner/printer.

U.S. patent Pub.No. (US 2001/0019427 A1) to Komtsu is cited for method and apparatus for processing images signal and computer readable recording medium recorded with program for causing computer to process image signal.

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Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ali Bayat whose telephone number is 703-306-5915. The examiner can normally be reached on M-Thur 9:00-7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on 703-3085246. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ali Bayat *AB*
Patent examiner
Group Art Unit 2625
3/22/04

Timothy M. Johnson
TIMOTHY M. JOHNSON
PRIMARY EXAMINER